

**BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**  
**COLUMBIA, SOUTH CAROLINA**

**CM #22-04**

**JANUARY 27, 2022**

**2:00 ~ 2:53 P.M.**

**COMMISSION MEMBERS PRESENT:** Justin T. WILLIAMS, CHAIRMAN; Florence P. BELSER, VICE CHAIR; *and* COMMISSIONERS Carolyn L. ‘Carolee’ WILLIAMS, Stephen M. ‘Mike’ CASTON<sup>[A/V]</sup>, Thomas J. ‘Tom’ ERVIN<sup>[A/V]</sup>, Headen B. THOMAS<sup>[A/V]</sup>, and Delton W. POWERS, JR.

**COMMISSION MEMBER(S) ABSENT:** —

PRESENTING AGENDA: F. David Butler  
SPECIAL COUNSEL

**STAFF PRESENT:** Jocelyn Boyd, Chief Clerk/Executive Director; Jo Anne Wessinger Hill, General Counsel; Sandra V. Moser, Esq., Legal Staff; Virginia ‘Ginger’ Crocker and Janice Schmieding, Clerk’s Staff; Jackie Thomas, Information Technology Staff; Melissa Purvis and Gwen Richardson, Livestream Technical Staff; and Jo Elizabeth M. Wheat, CVR-CM/M-GNSC, Court Reporter.

**TRANSCRIPT / MINUTES**  
**OF**  
**COMMISSION BUSINESS MEETING**

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***PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA***

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<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

P R O C E E D I N G S

**CHAIRMAN J. WILLIAMS:** Good afternoon, ladies and gentlemen. Welcome to the Public Service Commission of South Carolina. Today is January 27th; it is 2 p.m.

Please join me in a brief moment of silence.

[Brief pause]

Thank you. We're here today for our agenda meeting. Before we begin our meeting, please, let's take roll. Present in the hearing room we have Commissioner J. Williams, C. Williams, Powers, and Belser. Joining us virtually we have Commissioners Caston, Thomas, and Ervin.

Attorney Butler, if you would please read the agenda.

**MR. BUTLER:** Yes, sir. Thank you, Mr. Chairman. Good afternoon, Mr. Chairman and members of the Commission.

The first item of business would be to set the next Commission business meeting. Staff would recommend that that be set for February 3rd, 2022, at 2 p.m., which is a Thursday.

**CHAIRMAN J. WILLIAMS:** All right – [indicating]. That will be our next business meeting.

1                   If you would, please continue and call the  
2                   first item.

3                   **MR. BUTLER:** Yes, sir, be glad to do so.  
4                   Going to the Utilities Agenda, Item No. 1 is the  
5                   request of Communications, Incorporated, and Time  
6                   Warner Information Services, LLC, for approval of  
7                   the adoption of an existing interconnection  
8                   agreement.

9                   **CHAIRMAN J. WILLIAMS:** All right. Is there a  
10                  motion?

11                  **COMMISSIONER CASTON**<sup>[A/V]</sup>: Chairman Williams,  
12                  Commission Caston. I'd like to make a motion.

13                  **CHAIRMAN J. WILLIAMS:** All right.  
14                  Commissioner Caston, you have the floor.

15                  **COMMISSIONER CASTON**<sup>[A/V]</sup>: [EI/inaudible] -Vista  
16                  Communications, Incorporated, and Time Warner Cable  
17                  Information Services, LLC, for the adoption of the  
18                  existing interconnection agreement between TruVista  
19                  Communications, Incorporated, and South Carolina  
20                  Telecommunications Group Holdings, LLC, doing  
21                  business as Spirit Communications. I so move.

22                  **CHAIRMAN J. WILLIAMS:** Hearing Commissioner  
23                  Caston's motion, is there any discussion?

24                               [No response]

25                               Hearing none, we'll vote, starting with

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 District 1. Commissioner Williams?

2 **COMMISSIONER C. WILLIAMS:** Aye.

3 **CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

4 **VICE CHAIR BELSER:** Mr. Chairman –

5 [indicating]. Mr. Chairman, I didn't hear the first  
6 part of the motion. It was like the video froze.

7 And I hate to ask this. I think he was moving, but  
8 – he said, "I so move." But could we ask  
9 Commissioner Caston to restate?

10 **CHAIRMAN J. WILLIAMS:** Commissioner Caston, if  
11 you would, please, restate your motion, sir?

12 **COMMISSIONER CASTON<sup>[A/V]</sup>:** Yes. I move that the  
13 Commission approve the request of TruVista  
14 Communications, Incorporated, and Time Warner Cable  
15 Information Services, LLC, for the adoption of the  
16 existing interconnection agreement between TruVista  
17 Communications, Incorporated, and South Carolina  
18 [EI/inaudible] -communications Group Holdings, LLC,  
19 doing business as [EI/inaudible] Communications.

20 **VICE CHAIR BELSER:** Thank you, Mr. Chairman.  
21 I vote aye.

22 **CHAIRMAN J. WILLIAMS:** All right. Thank you.  
23 Commissioner Caston.

24 **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

25 **CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1                   **COMMISSIONER ERVIN**<sup>[A/V]</sup>: Aye.

2                   **CHAIRMAN J. WILLIAMS**: Commissioner Thomas?

3                   **COMMISSIONER THOMAS**<sup>[A/V]</sup>: Aye.

4                   **CHAIRMAN J. WILLIAMS**: Commissioner Powers?

5                   **COMMISSIONER POWERS**: I vote aye.

6                   **CHAIRMAN J. WILLIAMS**: Chairman Williams votes  
7 aye. The ayes have it; the motion carries

8                   **MR. BUTLER**: Item No. 2 is in Docket No. 2022-  
9 2-E. This is a petition to intervene out of time,  
10 in this case, filed by South Carolina Energy Users  
11 Committee.

12                   **CHAIRMAN J. WILLIAMS**: I beg your indulgence,  
13 Attorney Butler. Give me one second.

14                               [WHEREUPON, Discussion was had off the  
15 record]

16                   All right. Thank you, Attorney Butler. If  
17 you would, please, reread that item for us?

18                   **MR. BUTLER**: Yes, sir, I'd be glad to do so,  
19 Mr. Chairman. It's Docket No. 2022-2-E. This is  
20 the annual review of base rates for fuel costs for  
21 Dominion Energy. We have for Commission  
22 consideration a petition to intervene out of time,  
23 filed on behalf of South Carolina Energy Users  
24 Committee.

25                   **CHAIRMAN J. WILLIAMS**: All right. Is there a

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

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motion?

**COMMISSIONER POWERS:** Mr. Chairman?

**CHAIRMAN J. WILLIAMS:** Commissioner Powers.

**COMMISSIONER POWERS:** Thank you, Mr. Chairman.

I move that the Commission grant the Petition to Intervene Out of Time, filed by the South Carolina Energy Users Committee. I believe that granting the Petition at this point would not prejudice the parties, nor will the proceeding be delayed.

**CHAIRMAN J. WILLIAMS:** Thank you.

**COMMISSIONER POWERS:** I so move.

**CHAIRMAN J. WILLIAMS:** Thank you, Commissioner Powers.

Hearing Commissioner Powers's motion, is there any discussion?

[No response]

Hearing none, we'll vote, starting with District 1. Commissioner Williams?

**COMMISSIONER C. WILLIAMS:** Aye.

**CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

**VICE CHAIR BELSER:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Caston?

**COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1                   **COMMISSIONER ERVIN**<sup>[A/V]</sup>: Aye.

2                   **CHAIRMAN J. WILLIAMS**: Commissioner Thomas?

3                   **COMMISSIONER THOMAS**<sup>[A/V]</sup>: Aye.

4                   **CHAIRMAN J. WILLIAMS**: Commissioner Powers?

5                   **COMMISSIONER POWERS**: Aye.

6                   **CHAIRMAN J. WILLIAMS**: Chairman Williams votes  
7 aye. The ayes have it; the motion carries.

8                   **MR. BUTLER**: Mr. Chairman and other members of  
9 the Commission, we have two motions for admission  
10 pro hac vice in Item Nos. 3 and 4. Staff  
11 recommends that these be taken together. They're  
12 both in Docket No. 2021-349-E. The first one is  
13 the Application of Christina D. Cress, Esquire, for  
14 admission pro hac vice, and Item No. 4 is the  
15 request of Camal O. Robinson for admission pro hac  
16 vice in the same docket.

17                   **CHAIRMAN J. WILLIAMS**: All right. Those items  
18 will be carried over.

19                   **MR. BUTLER**: All right, sir. Thank you. Item  
20 No. 5 is in Docket No. 2016-414-E and 2022-17-E.  
21 We have the request of Dominion Energy South  
22 Carolina, Incorporated, for approval of a contract  
23 and two amendments to contracts for electric  
24 service between itself and Mercedes-Benz Vans, LLC,  
25 along with a request for confidential treatment of

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certain portions of the contract documents.

**CHAIRMAN J. WILLIAMS:** Is there a motion?

**COMMISSIONER POWERS:** Mr. Chairman?

**CHAIRMAN J. WILLIAMS:** Commissioner Powers.

**COMMISSIONER POWERS:** Thank you, Mr. Chairman.

I move the Commission grant Dominion Energy South Carolina, Incorporated's request for approval of Contract No. E7021048 for electric service, the Second Amendment to Contract E7016018 for electric service, and the Third Amendment to Contract No. E7008010 for electric service, all by and between itself and Mercedes-Benz Vans, LLC, along with the request for confidential treatment of certain portions of the contract documents.

**CHAIRMAN J. WILLIAMS:** Thank you. Commissioner Powers.

Hearing Commissioner Powers's motion, is there any discussion?

[No response]

Hearing none, we'll vote, starting with District 1. Commissioner Williams?

**COMMISSIONER C. WILLIAMS:** Aye.

**CHAIRMAN J. WILLIAMS:** Vice Chair Belser

**VICE CHAIR BELSER:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Caston?

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**COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Ervin.

**COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Thomas?

**COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Powers.

**COMMISSIONER POWERS:** Aye.

**CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
aye. The ayes have it; the motion carries.

**MR. BUTLER:** Item No. 6 is Item ND-2022-1-E.  
For consideration before the Commission today is  
Dominion Energy South Carolina, Incorporated's  
request to open an informational docket pursuant to  
Order No. 2021-570, issued in Docket No. 2020-125-E  
regarding stakeholder meetings.

**CHAIRMAN J. WILLIAMS:** Is there a motion?

**COMMISSIONER C. WILLIAMS:** Chairman Williams.

**CHAIRMAN J. WILLIAMS:** Commissioner Williams?

**COMMISSIONER C. WILLIAMS:** Thank you, sir.

I move that the Commission grant Dominion  
Energy South Carolina, Incorporated's request to  
open an informational docket pursuant to Order No.  
2021-570, issued in Docket No. 2020-125-E,  
regarding the stakeholder process, to examine an  
electricity affordability program for Dominion

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1 Energy South Carolina's low-income customers and  
2 related issues. I so move.

3 **CHAIRMAN J. WILLIAMS:** Thank you, Commissioner  
4 Williams.

5 Hearing Commissioner Williams's motion, is  
6 there any discussion?

7 **COMMISSIONER C. WILLIAMS:** Yes, sir.

8 **CHAIRMAN J. WILLIAMS:** Commissioner Williams?

9 **COMMISSIONER C. WILLIAMS:** Thank you, Chairman  
10 Williams.

11 This is the beginning of the fulfillment of  
12 the stipulation from the Dominion rate case last  
13 year. In that stipulation and the following order,  
14 Dominion Energy agreed to investigate a program for  
15 providing electricity affordability for low-income  
16 customers.

17 A stakeholder group has met once and heard a  
18 presentation on a Dominion Energy Ohio percentage-  
19 of-income payment plan.

20 I appreciate the path that this docket takes  
21 for Dominion Energy and its customers.  
22 Affordability of energy coupled with demand-side  
23 management and energy efficiency are key  
24 programmatic opportunities for South Carolina's  
25 ratepaying customers. I look forward to seeing the

1 programs that may emerge from this process. Thank  
2 you.

3 **CHAIRMAN J. WILLIAMS:** Thank you, Commissioner  
4 Williams.

5 Is there any further discussion?

6 [No response]

7 Hearing none, we will vote, starting with  
8 District 1. Commissioner Williams?

9 **COMMISSIONER C. WILLIAMS:** Aye.

10 **CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

11 **VICE CHAIR BELSER:** I vote aye.

12 **CHAIRMAN J. WILLIAMS:** Commissioner Caston?

13 **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

14 **CHAIRMAN J. WILLIAMS:** Commissioner Ervin.

15 **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

16 **CHAIRMAN J. WILLIAMS:** Commissioner Thomas?

17 **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

18 **CHAIRMAN J. WILLIAMS:** Commissioner Powers?

19 **COMMISSIONER POWERS:** Aye.

20 **CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
21 aye. The ayes have it; the motion carries.

22 **MR. BUTLER:** Item No. 7 is under Docket No.  
23 2021-291-A. Staff is presenting for Commission  
24 consideration issues related to the prefiling of  
25 surrebuttal testimony before the Commission.

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1                   **CHAIRMAN J. WILLIAMS:** Is there a motion?

2                   **COMMISSIONER POWERS:** Mr. Chairman?

3                   **CHAIRMAN J. WILLIAMS:** Commissioner Powers,  
4 you have the floor, sir.

5                   **COMMISSIONER POWERS:** The allowance of  
6 surrebuttal testimony at the Commission has been  
7 questioned in recent months and is one of the  
8 matters on which the Commission recently sought  
9 comments by parties appearing before the  
10 Commission. Comments were received on the subject,  
11 both pro and con, and these have prompted me to  
12 make this motion before the Commission at this  
13 time.

14                   Rebuttal testimony is a matter of right;  
15 however, surrebuttal testimony is discretionary as  
16 stated by the South Carolina Supreme Court in the  
17 case of *Palmetto Alliance versus South Carolina*  
18 *Public Service Commission*.

19                   Surrebuttal testimony must be viewed as  
20 somewhat different from other testimony because, if  
21 presented, it comes at a point in a proceeding  
22 where the parties have submitted their direct  
23 exhibits and have also had an opportunity to  
24 respond to the other parties' testimony and  
25 exhibits. The theory and purpose of surrebuttal

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1 testimony is to respond to any new matters brought  
2 up by the moving party in its rebuttal testimony.  
3 However, if rebuttal is limited to responding to  
4 other parties' direct testimony, as intended, then  
5 surrebuttal testimony should rarely, if ever, be  
6 necessary. That is why, historically, surrebuttal  
7 testimony has only been presented as deemed  
8 necessary in the discretion of the Commission.

9 To the extent that the Commission believes the  
10 privilege has or is being abused, I believe that  
11 the Commission has authority to curb such abuses by  
12 limiting the scope of presentation of surrebuttal  
13 testimony on a case-by-case basis. I also believe  
14 the potential for such abuses may be limited in the  
15 same manner.

16 Accordingly, I move that the Commission adopt  
17 the following procedures, effective today:

18 When developing the procedural schedule where  
19 prefiled testimony is anticipated, the Commission's  
20 Clerk's Office shall establish a deadline wherein  
21 an appropriate party may file a motion to prefile  
22 surrebuttal testimony. The motion shall be filed  
23 after any rebuttal testimony has been prefiled and  
24 shall provide the Commission with good cause, if  
25 any, as to why the party should be allowed to

1           prefile surrebuttal testimony in the specific case.

2           A date shall also be set for the prefiling of  
3           surrebuttal testimony, should the Commission grant  
4           the motion.

5           Should the motion be granted for good cause,  
6           the surrebuttal testimony may be prefiled. If good  
7           cause is not shown, the moving party may not  
8           prefile surrebuttal testimony.

9           In making this motion, I'm not accusing any  
10          party appearing before the Commission of abusing  
11          the use of surrebuttal testimony; I'm stating that,  
12          since surrebuttal testimony is discretionary with  
13          the Commission, its presentation should be  
14          scrutinized and approved or rejected on a case-by-  
15          case basis by using the methodology that I have  
16          proposed. I so move.

17          **CHAIRMAN J. WILLIAMS:** Hearing Commissioner  
18          Powers' motion, is there any discussion or comment?

19          **COMMISSIONER POWERS:** Yes, sir. I would just  
20          comment further that we've had some rather long,  
21          involved hearings in the past year, year and a  
22          half, that I felt like I didn't hear new issues; I  
23          just heard the same thing over, and even felt like  
24          some of it denigrated to just who got the last word  
25          or an attack on each other's parties. And I just

1 think that there needs to be sound reasoning for  
2 surrebuttal testimony to be presented. Thank you.

3 **CHAIRMAN J. WILLIAMS:** Thank you, Commissioner  
4 Powers.

5 **VICE CHAIR BELSER:** Mr. Chairman?

6 **CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

7 **VICE CHAIR BELSER:** Thank you.

8 I think that this – Commissioner Powers, I  
9 respectfully appreciate your position and your  
10 motion. However, I am going to disagree with it  
11 today. I think that this matter really starts with  
12 the filing of – a lot of times – the filing of the  
13 application and the completeness of what needs to  
14 be in the application. I think that, in the  
15 regulation review that has been undertaken by  
16 Executive Director and Staff, along with the  
17 Advisory Committee members, that that is one of the  
18 things being addressed. I think what I've seen  
19 happen over the years is that an application is  
20 filed; perfunctory direct testimony is filed that  
21 doesn't give a lot of reasoning, necessarily, but a  
22 lot of generalities. And then once the intervenors  
23 and other parties, based on their discovery and  
24 other discussions with the applicant, once they  
25 file their testimony, then, in rebuttal, we see the

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1 case-in-chief really being presented. And I think  
2 that's backwards. And I understand what the case  
3 law in South Carolina says; I don't think that the  
4 case law envisioned basically turning the  
5 regulatory process around, and I think that's  
6 what's happened here in some instances.

7 So I think that the process that we have now  
8 allows for completeness, because oftentimes there  
9 is significant surrebuttal due to the amount of  
10 detail that is being presented on rebuttal that  
11 should have been presented in direct – in this  
12 person's opinion. And so I think that the process  
13 that's been in place has somewhat been working.

14 I don't think that – well, surrebuttal hasn't  
15 been filed in every case, when a party has not  
16 needed to address new matters brought out. But,  
17 unfortunately, where we see significant rebuttal  
18 and significant surrebuttal are in these large  
19 cases. I do like the fact that the parties have  
20 the opportunity to present fully their positions.  
21 I think that's very important. And I don't think  
22 that there will be any streamlining of the hearing  
23 by reining in, somewhat, some of the surrebuttal,  
24 for lack of a better term. "Reining in" may not be  
25 the right one.

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1 I would like to thank the parties for their  
2 comments. There were some interesting comments  
3 that I think that, as the Commission and the  
4 parties go through rulemakings, if we decide to  
5 revise some of the regulations, I think that even  
6 some of these comments that came in today would be  
7 very helpful. But while I appreciate what the  
8 motion is intended to do, I respectfully will be  
9 voting no on it. Thank you.

10 **COMMISSIONER CASTON<sup>[A/V]</sup>**: Chairman Williams?

11 **CHAIRMAN J. WILLIAMS**: Commissioner Caston,  
12 you have the floor, sir.

13 **COMMISSIONER CASTON<sup>[A/V]</sup>**: Having listened to the  
14 motion and Vice Chair Belser's comments, all very  
15 good and thought-provoking, relative to, I guess,  
16 issues with applications that are incomplete or not  
17 complete, I – you know, I agree that that has been  
18 an issue or at least expressed as an issue, and I  
19 do think that is something that needs to be,  
20 really, developed [EI/inaudible] standard. That  
21 said, the way this motion reads, or I understood,  
22 was it would be on a case-by-case basis, and if  
23 there were opportunities or times when the  
24 applications we felt like were insufficient and it  
25 did justify surrebuttal testimony, then that makes

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1 sense, but every hearing is not tied to an  
2 application of that magnitude. So I guess the  
3 point I'm trying to make is the motion, as read,  
4 would be viewed on a case-by-case basis, which  
5 makes a lot of sense to me, because if the direct  
6 testimony is thorough and the rebuttal testimony  
7 makes the point desired, I concur that would  
8 resolve the issues. But, that said, just my view  
9 on it. But I appreciate the [EI/inaudible].

10 **CHAIRMAN J. WILLIAMS:** Commissioner Caston, I  
11 think we may be having some connectivity issues.  
12 Some of your comments were not heard. I don't  
13 know – I think I understood the general nature and  
14 intent of your comments, but if you want to repeat  
15 them for the sake of the record, you're welcome to  
16 do so. I just wanted to let you know that some of  
17 your comments were not heard.

18 **COMMISSIONER CASTON<sup>[A/V]</sup>:** Well, hopefully, all  
19 the poor ones were not heard, then. Can you hear  
20 me okay now?

21 **CHAIRMAN J. WILLIAMS:** Yes, sir.

22 **COMMISSIONER CASTON<sup>[A/V]</sup>:** I guess a more – a  
23 synopsis is the motion, as read, I believe makes  
24 good sense, in that we're talking about doing it on  
25 a case-by-case basis. Every hearing we've had has

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1 not involved a detailed application process that,  
2 you know, was, I guess, inadequate or accused of  
3 being inadequate. So just a blanket option to  
4 always do it, regardless, to allow surrebuttal to  
5 me seems, actually, inappropriate. But doing it as  
6 stated in the motion on a case-by-case basis, based  
7 on the merits, makes sense. And relative to the  
8 applications, I too agree that if applications are  
9 not complete [EI/inaudible] then I'm not sure we  
10 should have a hearing until it is. I think those  
11 [EI/inaudible] are being addressed and will be  
12 addressed maybe in regulations, also, as far as  
13 updates.

14 Could you hear that?

15 **CHAIRMAN J. WILLIAMS:** Well, there's still  
16 some words that we didn't hear, but, again, I think  
17 we understood the general nature of – [indicating].  
18 I think we understood the general nature of your  
19 comments, sir. We did not hear every word. But I  
20 think – at least, I understood the general nature  
21 of your comments.

22 Madam Court Reporter, were you able to  
23 transcribe his comments?

24 **COURT REPORTER:** Not every word. I did miss  
25 words.

1                   **CHAIRMAN J. WILLIAMS:** Okay. Just so you  
2                   know, Commissioner Caston, there were some words  
3                   that the court reporter left out because she could  
4                   not hear them.

5                   **COMMISSIONER CASTON**<sup>[A/V]</sup>: I understand and I  
6                   appreciate it. Well, thank y'all very much for  
7                   enduring that.

8                   **CHAIRMAN J. WILLIAMS:** Yes, sir.

9                   **VICE CHAIR BELSER:** Mr. Chairman, may I  
10                  clarify something?

11                  **CHAIRMAN J. WILLIAMS:** Yes, ma'am, Vice Chair  
12                  Belser.

13                  **VICE CHAIR BELSER:** I did not mean to say  
14                  that – if I did – that the applications are  
15                  incomplete. I think the applications are being  
16                  filed in accordance with the regulations. But I  
17                  think the regulations require – are not sufficient  
18                  enough with where we are on cases, on big cases,  
19                  these days and what needs to be in the  
20                  applications. I think – and that's where I think  
21                  the work is going, is to beef up what is required  
22                  to be filed. That's where I think we need to start  
23                  is with that regulation on what needs to be filed.

24                  The ones that are coming in, they are meeting  
25                  the basic requirements of the regulation. It's

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 just that I think we're needing more detail – this  
2 Commissioner's opinion is that we need more detail  
3 in the application than what the regulations  
4 currently require.

5 So I just wanted to clarify that, if I stated  
6 that the applications were insufficient, they are  
7 not insufficient with the current regulations. I  
8 think they're lacking what some of us want to see  
9 in the applications. Thank you.

10 **CHAIRMAN J. WILLIAMS:** All right.

11 Commissioner Powers, I'm happy to support your  
12 motion, sir, and I appreciate your leadership. All  
13 the Commissioners know, based on their leadership  
14 experience, that it's easy to do nothing. I think  
15 the Commission seeks to gain procedural efficiency,  
16 and I think that this is a step towards that  
17 effort. I understand that we're in the review  
18 process of our regulations and that there are going  
19 to be some changes made there, but I also think  
20 it's not a bad idea to have discussions like these  
21 to see if there are opportunities for improvement.  
22 And I have to echo Commissioner – Vice Chair  
23 Belser, excuse me – Vice Chair Belser's comments  
24 about the parties' comments and participation. I  
25 greatly appreciated the parties offering

1 suggestions not just on the matter of surrebuttal  
2 but gaining procedural efficiency overall.

3 And so my hope is that, as we continue to  
4 review how we conduct business here at the  
5 Commission, that we will continue to improve and  
6 use the tools we have available to help us pursue  
7 excellence. So, I appreciate your leadership in  
8 the matter, sir, and I'm happy to support your  
9 motion.

10 All right. If there are no further comments,  
11 we'll vote.

12 [Brief pause]

13 We'll start with District 1. Commissioner  
14 Williams?

15 **COMMISSIONER C. WILLIAMS:** Aye.

16 **CHAIRMAN J. WILLIAMS:** Vice Chair Belser.

17 **VICE CHAIR BELSER:** No.

18 **CHAIRMAN J. WILLIAMS:** Commissioner Caston.

19 **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

20 **CHAIRMAN J. WILLIAMS:** Commissioner Ervin.

21 **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

22 **CHAIRMAN J. WILLIAMS:** Commissioner Thomas.

23 **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

24 **CHAIRMAN J. WILLIAMS:** Commissioner Powers.

25 **COMMISSIONER POWERS:** Aye.

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1                   **CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
2                   aye. The ayes have it; the motion carries.

3                   **MR. BUTLER:** Mr. Chairman and other members of  
4                   the Commission, that completes the Utilities Agenda  
5                   for today.

6                   Moving on to our Motor Carrier Agenda, we have  
7                   two items that encompass Class C authority, Items 1  
8                   and 2, and Staff would recommend that those be  
9                   taken together today.

10                  Item No. 1 is the application of Open Arms  
11                  Counseling Center, Incorporated, d/b/a Open Arms  
12                  Logistical Service; this is for Class C (Stretcher  
13                  Van) authority. Item No. 2 is Docket No. 2022-30-  
14                  T, the Application of East Coast Transportation  
15                  Services LLC for a Class C (Charter) Certificate.

16                  **CHAIRMAN J. WILLIAMS:** Is there a motion?

17                  **COMMISSIONER CASTON**<sup>[A/V]</sup>: Chairman Williams?

18                  **CHAIRMAN J. WILLIAMS:** Commissioner Caston.

19                  **COMMISSIONER CASTON**<sup>[A/V]</sup>: I move that the  
20                  Commission approve the Applications for Class C  
21                  authority in Item Nos. 1 and 2, as listed by Mr.  
22                  Butler.

23                  **CHAIRMAN J. WILLIAMS:** Thank you.

24                  **COMMISSIONER CASTON**<sup>[A/V]</sup>: I so move.

25                  **CHAIRMAN J. WILLIAMS:** Thank you, Commissioner

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION



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Caston.

Hearing Commissioner Caston's motion, is there any discussion?

[No response]

Hearing none, we'll vote, starting with District 1. Commissioner Williams?

**COMMISSIONER C. WILLIAMS:** Aye.

**CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

**VICE CHAIR BELSER:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Caston?

**COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

**COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Thomas.

**COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Powers?

**COMMISSIONER POWERS:** Aye.

**CHAIRMAN J. WILLIAMS:** Chairman Williams votes aye. The ayes have it; the motion carries.

**MR. BUTLER:** Mr. Chairman and other members of the Commission, Items 3 through 10 on the Motor Carriers Agenda consist of requests to amend various documents.

Item No. 1<sub>[sic]</sub> is a request to amend Class C (Non-Emergency) Certificate No. 9202 to read

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1                   “MyRide SC, LLC.” This is the Application of S&W  
2                   Investments, Inc., d/b/a S&W Transport.

3                   **CHAIRMAN J. WILLIAMS:** Is there a motion?

4                   **COMMISSIONER POWERS:** Mr. Chairman, I have a  
5                   motion.

6                   **CHAIRMAN J. WILLIAMS:** Commissioner Powers,  
7                   you have the floor, sir.

8                   **COMMISSIONER POWERS:** Thank you.

9                   I move the Commission grant the request of S&W  
10                  Investments, Incorporated, doing business as S&W  
11                  Transport, to amend Class C (Non-Emergency)  
12                  Certificate No. 9202 to read “MyRide SC, LLC.”

13                  **CHAIRMAN J. WILLIAMS:** Hearing Commissioner  
14                  Caston’s – excuse me. Hearing Commissioner Powers’  
15                  motion, is there any discussion?

16                               [No response]

17                  Hearing none, we’ll vote, starting with  
18                  District 1. Commissioner Williams?

19                  **COMMISSIONER C. WILLIAMS:** Aye.

20                  **CHAIRMAN J. WILLIAMS:** Vice Chair Belser.

21                  **VICE CHAIR BELSER:** Aye.

22                  **CHAIRMAN J. WILLIAMS:** Commissioner Caston?

23                  **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

24                  **CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

25                  **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1                   **CHAIRMAN J. WILLIAMS:** Commissioner Thomas.

2                   **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

3                   **CHAIRMAN J. WILLIAMS:** Commissioner Powers?

4                   **COMMISSIONER POWERS:** Aye.

5                   **CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
6 aye. The ayes have it; the motion carries.

7                   **MR. BUTLER:** Item No. 4 is in Docket No. 2021-  
8 369-T. We have a request from Wells Venture, LLC,  
9 d/b/a College HUNKS Hauling Junk & Moving, to amend  
10 its tariff.

11                   **CHAIRMAN J. WILLIAMS:** Is there a motion?

12                   **COMMISSIONER CASTON<sup>[A/V]</sup>:** Chairman Williams?

13                   **CHAIRMAN J. WILLIAMS:** Commissioner Caston,  
14 you have the floor, sir.

15                   **COMMISSIONER CASTON<sup>[A/V]</sup>:** Hopefully, you can  
16 hear me.

17                   **CHAIRMAN J. WILLIAMS:** Yes.

18                   **COMMISSIONER CASTON<sup>[A/V]</sup>:** I move that the  
19 Commission approve the Application of Wells  
20 Venture, LLC, doing business as College HUNKS  
21 Hauling Junk & Moving, to amend its [EI/inaudible].  
22 The Commission finds the proposed amendments to the  
23 tariff are reasonable and justified. In addition,  
24 the Office of Regulatory Staff reports the company  
25 is in compliance with all Commission Rules and

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 Regulations. Wells Venture is to file a  
2 [EI/inaudible] tariff incorporating the amendments  
3 made in the revised proposed tariff; changing the  
4 [EI/inaudible] of the tariff at the bottom of each  
5 page to the date of the order issued approving the  
6 amendment; and correcting the [EI/inaudible]  
7 contents to include all sections of the revised  
8 tariff and to correct page numbers. I so move.

9 Could you hear that?

10 **CHAIRMAN J. WILLIAMS:** I'm being told no,  
11 and —

12 **COMMISSIONER CASTON<sup>[A/V]</sup>:** Can I call in?  
13 Because I'm getting reverb and feedback also, Chair  
14 Williams.

15 **CHAIRMAN J. WILLIAMS:** Yes, sir.

16 **COMMISSIONER CASTON<sup>[A/V]</sup>:** Okay. Let me — excuse  
17 me.

18 [WHEREUPON, discussion was had off the  
19 record.]

20 Let's try it one more time, Chairman Williams,  
21 if that's okay.

22 **CHAIRMAN J. WILLIAMS:** It's quite all right.  
23 Please continue.

24 **COMMISSIONER CASTON<sup>[A/V]</sup>:** I move that the  
25 Commission approve the Application of Wells

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 Venture, LLC, doing business as College HUNKS  
2 Hauling Junk & Moving, to amend its tariffs. The  
3 Commission finds the proposed amendments to the  
4 tariff are reasonable and justified. In addition,  
5 the Office of Regulatory Staff reports the company  
6 is in compliance with all Commission Rules and  
7 Regulations. Wells Venture is to file a final  
8 tariff incorporating the amendments made in the  
9 revised proposed tariff; changing the date of the  
10 tariff at the bottom of each page to the date of  
11 the order issued approving the amendment; and  
12 correcting the table of contents to include all  
13 sections of the revised tariff and to correct page  
14 numbers. I so move.

15 **CHAIRMAN J. WILLIAMS:** Thank you, Commissioner  
16 Caston.

17 Hearing Commissioner Caston's motion, is there  
18 any discussion?

19 [No response]

20 Hearing none, we'll vote, starting with  
21 District 1. Commissioner Williams.

22 **COMMISSIONER C. WILLIAMS:** I vote aye.

23 **CHAIRMAN J. WILLIAMS:** Vice Chair Belser.

24 **VICE CHAIR BELSER:** I vote aye.

25 **CHAIRMAN J. WILLIAMS:** Commissioner Caston.

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**COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Ervin.

**COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Thomas.

**COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Powers.

**COMMISSIONER POWERS:** Aye.

**CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
aye. The ayes have it; the motion carries.

**MR. BUTLER:** Item No. 5 is in Docket No. 2021-  
329-T. We have for Commission consideration K&K  
Investments, Inc., d/b/a Apartment Movers Etc. and  
America's Best Moving System's Application to amend  
its tariff.

**CHAIRMAN J. WILLIAMS:** Is there a motion?

**COMMISSIONER ERVIN<sup>[A/V]</sup>:** Mr. Chairman, I have a  
motion.

**CHAIRMAN J. WILLIAMS:** Commissioner Ervin, you  
have the floor, sir.

**COMMISSIONER ERVIN<sup>[A/V]</sup>:** Thank you, Mr.  
Chairman.

I move that the Commission approve K&K  
Investments, Inc., doing business as Apartment  
Movers Etc. and America's Best Moving System's  
request to amend its remaining tariff changes,

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

specifically Rule 16(B), Rule 16(D), Rule 27, Rule 37(C), Rule 39, and Rule 40. K&K Investments is to file a final tariff incorporating all of the amendments made in the revised proposed tariff. So move.

**CHAIRMAN J. WILLIAMS:** Hearing Commissioner Ervin's motion, is there any discussion?

[No response]

Hearing none, we'll vote, starting with District 1. Commissioner Williams?

**COMMISSIONER C. WILLIAMS:** Aye.

**CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

**VICE CHAIR BELSER:** I vote aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Caston?

**COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

**COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Powers?

**COMMISSIONER POWERS:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Thomas?

**COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Chairman Williams votes aye. The ayes have it; the motion carries.

**MR. BUTLER:** Item No. 6 is in Docket No. 2009-151-T. For Commission consideration is a request

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 for approval of a revised bill of lading by Malzone  
2 Russell d/b/a Basic Moving.

3 **CHAIRMAN J. WILLIAMS:** Is there a motion?

4 **COMMISSIONER C. WILLIAMS:** Chairman Williams.

5 **CHAIRMAN J. WILLIAMS:** Commissioner Williams,  
6 you have the floor, ma'am.

7 **COMMISSIONER C. WILLIAMS:** Thank you, sir.

8 With regard to its request for approval of its  
9 revised bill of lading, I move that the Commission  
10 direct Malzone Russell, doing business as Basic  
11 Moving, to meet the requirements of South Carolina  
12 Code Annotated Regs. 103-159 by incorporating the  
13 point of origin, which is number four; the name and  
14 address of the consignee/receiver, which is number  
15 five; declaration of valuation, number six; C.O.D  
16 shipment information, number eight; and the number  
17 of the bill of lading, number 11; and any other  
18 elements necessary to ensure compliance with  
19 Regulation 103-159.

20 Basic Moving shall file a final revised bill  
21 of lading incorporating these amendments within 30  
22 days of today's date.

23 Furthermore, I'd suggest updating the language  
24 regarding personal items to read as follows: "All  
25 small valuables, including, but not limited to,



1 purses, wallets, jewelry, and coins shall be locked  
2 and/or safely secured at all times if they are to  
3 be moved by Basic Moving. Basic Moving may not be  
4 responsible for any loss of personal items due to  
5 the customer's failure to properly secure such  
6 items during a move."

7 I so move.

8 **CHAIRMAN J. WILLIAMS:** Hearing Commissioner  
9 Williams's motion, is there any discussion?

10 **COMMISSIONER POWERS:** Mr. Chairman?

11 **CHAIRMAN J. WILLIAMS:** Commissioner Powers,  
12 you have the floor, sir.

13 **COMMISSIONER POWERS:** Thank you. I would join  
14 in with Commissioner Williams' motion that she has  
15 made, which avoids what I call blanket liability  
16 coverage, which it seems to be that originally they  
17 wanted to have a situation where they could just  
18 deny liability under any circumstance based on  
19 whether or not things are locked up or safe and  
20 secured. One of the 14 requirements of the bill of  
21 lading is liability insurance itself.

22 I just feel liability can't always be denied.  
23 I can think of several situations where, in the  
24 rush of a move, someone – even the movers – picked  
25 up something that had been not locked or safely

1           secured and it's put on the truck, and the mover  
2           uses kids from whatever neighborhood or whatever  
3           school or wherever he goes, and they take  
4           something. He is still liable. And I think it  
5           needs to be clear that there's no such thing as  
6           some sort of denial of liability in a case, and I  
7           think this motion serves us well and it allows, if  
8           there is a question or a lawsuit or something that  
9           could go to court, I think they walk into the  
10          courtroom on equal footing, by the language saying  
11          "may not" rather than giving Basic Moving the right  
12          to just deny liability.

13               **CHAIRMAN J. WILLIAMS:** Thank you, sir.

14               **COMMISSIONER C. WILLIAMS:** Chairman Williams?

15               **CHAIRMAN J. WILLIAMS:** Commissioner Williams?

16               **COMMISSIONER C. WILLIAMS:** Thank you. This  
17          was a challenging motion to work on, and Basic  
18          Moving initiated this Application by indicating to  
19          the Office of Regulatory Staff that they wanted to  
20          clarify responsibilities of the moving company and  
21          the client regarding personal items, in their bill  
22          of lading. This led ORS to instruct Basic Moving  
23          to file application with the Commission for  
24          approval.

25               Upon review, the items listed in my motion

1           were found to be missing from the bill of lading.  
2           But in addition, my motion includes the suggestion  
3           to this pro se applicant that they, number one,  
4           define the referenced personal items by offering  
5           greater clarity and specificity than initially  
6           offered; and number two, that they reflect both the  
7           responsibility of the client to lock their personal  
8           valuables and to the company to provide due  
9           diligence in their shipment.

10           Thank you, Mr. Chairman – oh. Normally, the  
11           Commission would not make such an editorial  
12           suggestion, but given that this element of the bill  
13           of lading was their primary request, I've chosen to  
14           make this suggestion a part of my motion.

15           **CHAIRMAN J. WILLIAMS:** Understood.

16           **COMMISSIONER C. WILLIAMS:** Thank you.

17           **CHAIRMAN J. WILLIAMS:** Thank you, ma'am.

18           Any further discussion?

19           **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Mr. Chairman?

20           **CHAIRMAN J. WILLIAMS:** Commissioner Ervin, you  
21           have the floor, sir.

22           **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Thank you, Mr.  
23           Chairman.

24           And I would like to follow up just a moment  
25           and suggest that we, as a Commission, might

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 consider a standard approved bill of lading, as so  
2 many of these applications are coming from pro se  
3 litigants that have no lawyer. I think it would be  
4 better, rather than having to review each and every  
5 bill of lading on a case-by-case basis, if we could  
6 come up with a proposed form. We may need to open  
7 a docket to take testimony into evidence and  
8 comments. But it would simplify the process. It  
9 would also give us the opportunity, as Commissioner  
10 Powers has pointed out, to protect the public  
11 interest, because these are simply what the law  
12 calls, really, an adhesion contract. When you're  
13 handed this bill of lading on your moving day, a  
14 lot of this is – potentially, it's in fine print,  
15 everybody's in a hurry to get going, load the  
16 truck, and that's not the best kind of environment  
17 to discuss contractual provisions that could be  
18 unfairly included and prejudice the moving party's  
19 rights. We don't want that to happen.

20 We also don't – we think – I think it would be  
21 good for movers, generally, to know what belongs in  
22 a bill of lading. I did a little research. The  
23 federal regs. have a standard bill of lading, and  
24 they go through – there are 14 points that have to  
25 be included. And some of them have to be included

1 in bold print so that they're clearly as clear to  
2 the moving party what they are agreeing to.

3 So I would hope that we might go a step  
4 further and consider adopting a standardized bill  
5 of lading for South Carolina movers that are under  
6 our jurisdiction, and perhaps we can consider that  
7 at our next regularly scheduled business meeting or  
8 at some other appropriate place and time.

9 Thank you, Mr. Chairman.

10 **CHAIRMAN J. WILLIAMS:** Thank you, Commissioner  
11 Ervin.

12 **COMMISSIONER POWERS:** Mr. Chairman.

13 **CHAIRMAN J. WILLIAMS:** Commissioner Powers?

14 **COMMISSIONER POWERS:** Mr. Chairman, I would  
15 strongly agree with Commissioner Ervin. I don't  
16 want to micromanage moving companies, and I think  
17 the real competition should be in pricing, not in  
18 certain requirements that are – or legal  
19 requirements under our regs. And I think it would  
20 be a good thing to take a serious look at, and I  
21 appreciate both his research and his wise counsel  
22 on this. Thank you.

23 **CHAIRMAN J. WILLIAMS:** All right. Any further  
24 discussion?

25 [No response]

1                   Hearing none, we'll vote, starting with  
2                   District 1. Commissioner Williams?

3                   **COMMISSIONER C. WILLIAMS:** Aye.

4                   **CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

5                   **VICE CHAIR BELSER:** I vote aye on the motion.

6                   **CHAIRMAN J. WILLIAMS:** Commissioner Caston?

7                   **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

8                   **CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

9                   **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

10                  **CHAIRMAN J. WILLIAMS:** Commissioner Thomas.

11                  **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

12                  **CHAIRMAN J. WILLIAMS:** Commissioner Powers?

13                  **COMMISSIONER POWERS:** Aye.

14                  **CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
15                  aye. The ayes have it; the motion carries.

16                  **MR. BUTLER:** Item No. 7 is in Docket No. 2021-  
17                  332-T, Armstrong Relocation Company, Charleston,  
18                  LLC, has an Application to amend its tariff.

19                  **CHAIRMAN J. WILLIAMS:** Is there a motion?

20                  **COMMISSIONER C. WILLIAMS:** Chairman Williams.

21                  **CHAIRMAN J. WILLIAMS:** Commissioner Williams,  
22                  you have the floor, ma'am.

23                  **COMMISSIONER C. WILLIAMS:** Thank you, sir.

24                  I move that the Commission approve the  
25                  Application of Armstrong Relocation Company,

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 Charleston, LLC, to amend its tariff, with two  
2 amendments: First, in order to improve clarity,  
3 the tariff should be updated to reflect that any  
4 fees related to additional stops during the move  
5 shall only be applied to the customer when they are  
6 specifically requested by the customer; second, I'd  
7 request that the flight carry fee be updated to  
8 include a list of costs for each additional flight  
9 of stairs. Both of these points will help clarify  
10 the proposed rates.

11 These amendments shall be incorporated into a  
12 final tariff and filed by Armstrong Relocation  
13 Company as a second revised proposed tariff within  
14 30 days of today's date.

15 **CHAIRMAN J. WILLIAMS:** Hearing Commissioner  
16 Williams's motion, is there any discussion?

17 [No response]

18 Hearing none, we'll vote –

19 **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Mr. Chairman? Mr.  
20 Chairman?

21 **CHAIRMAN J. WILLIAMS:** Yes, sir, Commissioner  
22 Ervin.

23 **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Just briefly – and I  
24 appreciate Commissioner Carolee Williams' attention  
25 to detail on this particular contractual provision.

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 But this, again, is another example where, if we  
2 had a standard contract or bill of lading, we could  
3 specify with great precision what we mean by  
4 "stairs" and how that could be incorporated in a  
5 fair way for both the mover and the moving party,  
6 so that it doesn't have to be interpreted or  
7 questioned during or after a move when the bill  
8 comes due. Again, this is another reason why we  
9 need a standard bill of lading, and I would hope  
10 that as we go through all these various changes  
11 that we're discussing today, we'll keep that in  
12 mind. Thank you, Mr. Chairman.

13 **CHAIRMAN J. WILLIAMS:** Thank you, sir.

14 Any further discussion? Vice Chair Belser?

15 **VICE CHAIR BELSER:** I'm just – this motion  
16 pertains to the tariff, doesn't it? I was – I'm a  
17 bit confused. This motion relates to the tariff,  
18 not a bill of lading, right?

19 **COMMISSIONER ERVIN<sup>[A/V]</sup>:** I stand corrected, and  
20 you're right.

21 **VICE CHAIR BELSER:** I'm sorry I –

22 **COMMISSIONER ERVIN<sup>[A/V]</sup>:** And perhaps we need –  
23 yeah, we need a – we may need a standard tariff, as  
24 well. That's just a thought. Because, again,  
25 these terms change from applicant to applicant. So

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION



1           it's just food for thought. Thank you, Madam Vice  
2           Chair.

3           **VICE CHAIR BELSER:** Thank you for the  
4           clarification.

5           **CHAIRMAN J. WILLIAMS:** If there's no more  
6           discussion, we'll vote, starting with District 1.  
7           Commissioner Williams.

8           **COMMISSIONER C. WILLIAMS:** Aye.

9           **CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

10          **VICE CHAIR BELSER:** I vote aye.

11          **CHAIRMAN J. WILLIAMS:** Commissioner Caston?

12          **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

13          **CHAIRMAN J. WILLIAMS:** Commissioner Ervin.

14          **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

15          **CHAIRMAN J. WILLIAMS:** Commissioner Thomas.

16          **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

17          **CHAIRMAN J. WILLIAMS:** Commissioner Powers.

18          **COMMISSIONER POWERS:** Aye.

19          **CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
20          aye. The ayes have it; the motion carries.

21          **MR. BUTLER:** Item No. 8 is under Docket No.  
22          2021-345-T. This is for Commission consideration  
23          of Luxury Movers Moving Company LLC's Application  
24          to amend its tariff.

25          **CHAIRMAN J. WILLIAMS:** Is there a motion?

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1                   **COMMISSIONER POWERS:** Mr. Chairman?

2                   **CHAIRMAN J. WILLIAMS:** Commissioner Powers,  
3                   you have the floor, sir.

4                   **COMMISSIONER POWERS:** I move the Commission  
5                   approve Luxury Movers Moving Company LLC's request  
6                   to amend its tariff.

7                   **CHAIRMAN J. WILLIAMS:** Hearing Commissioner  
8                   Powers's motion, is there any discussion?

9                   **COMMISSIONER POWERS:** Mr. Chairman?

10                  **CHAIRMAN J. WILLIAMS:** Commissioner Powers,  
11                  you have the floor, sir.

12                  **COMMISSIONER POWERS:** Thank you.

13                  I'd like to add: This is another case I think  
14                  pro se – I'm a little disappointed in that I think  
15                  we've given adequate time and adequate opportunity  
16                  for a response as to why the increase should be  
17                  done and whether – it would give us a little more  
18                  to decide on whether or not the increase is just  
19                  and reasonable. It would be very helpful to the  
20                  Staff if we had some sort of specificity, such as  
21                  gas cost, labor cost, any sort of increase, rather  
22                  than because you have a lot of business. If  
23                  someone's going to raise their price because they  
24                  have a lot of business, that almost scares me or  
25                  borders on some sort of price gouging, and

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1                   certainly don't want to go down that road. But  
2                   this is one where the amount is right, and is just  
3                   and reasonable; but, again, it would be helpful for  
4                   more specificity. Thank you.

5                   **CHAIRMAN J. WILLIAMS:** Commissioner Williams?

6                   **COMMISSIONER C. WILLIAMS:** [Shaking head.]

7                   **CHAIRMAN J. WILLIAMS:** All right. Any further  
8                   discussion?

9                   [No response]

10                  Hearing none, we'll vote, starting with  
11                  District 1. Commissioner Williams.

12                  **COMMISSIONER C. WILLIAMS:** Aye.

13                  **CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

14                  **VICE CHAIR BELSER:** Aye.

15                  **CHAIRMAN J. WILLIAMS:** Commissioner Caston.

16                  **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

17                  **CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

18                  **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

19                  **CHAIRMAN J. WILLIAMS:** Commissioner Thomas.

20                  **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

21                  **CHAIRMAN J. WILLIAMS:** Commissioner Powers?

22                  **COMMISSIONER POWERS:** Aye.

23                  **CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
24                  aye. The ayes have it; the motion carries.

25                  **MR. BUTLER:** Item No. 9 is Docket No. 2021-

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1           358-T. For Commission consideration is the  
2           Application of ABA Moving & Storage, Incorporated,  
3           d/b/a Two Men and A Truck, to amend its tariff.

4           **CHAIRMAN J. WILLIAMS:** Is there a motion?

5           **COMMISSIONER C. WILLIAMS:** Chairman Williams.

6           **CHAIRMAN J. WILLIAMS:** Commissioner Williams,  
7           you have the floor, ma'am.

8           **COMMISSIONER C. WILLIAMS:** Thank you, sir.

9           I move that the Commission approve ABA Moving  
10          & Storage, Inc., doing business as Two Men and A  
11          Truck's request to amend its tariff.

12          **CHAIRMAN J. WILLIAMS:** Hearing Commissioner  
13          Williams's motion, is there any discussion?

14                       [No response]

15          Hearing none, we'll vote, starting with  
16          District 1. Commissioner Williams?

17          **COMMISSIONER C. WILLIAMS:** Aye.

18          **CHAIRMAN J. WILLIAMS:** Vice Chair Belser.

19          **VICE CHAIR BELSER:** Aye.

20          **CHAIRMAN J. WILLIAMS:** Commissioner Caston?

21          **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

22          **CHAIRMAN J. WILLIAMS:** Commissioner Ervin.

23          **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

24          **CHAIRMAN J. WILLIAMS:** Commissioner Thomas?

25          **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1                   **CHAIRMAN J. WILLIAMS:** Commissioner Powers.

2                   **COMMISSIONER POWERS:** Aye.

3                   **CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
4                   aye. The ayes have it; the motion carries.

5                   **MR. BUTLER:** Item No. 10 is in Docket No.  
6                   2021-353-T. This is a request of the South  
7                   Carolina Tariff Bureau, Incorporated, to amend its  
8                   South Carolina Tariff No. 7.

9                   **CHAIRMAN J. WILLIAMS:** Is there a motion?

10                  **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Mr. Chairman, this is  
11                  Commissioner Thomas.

12                  **CHAIRMAN J. WILLIAMS:** Commissioner Thomas,  
13                  you have the floor, sir.

14                  **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Thank you.

15                  I move that the Commission grant the  
16                  Application of South Carolina Tariff Bureau,  
17                  Incorporated, to amend South Carolina Tariff No.  
18                  9 – excuse me – No. 7, canceling the South Carolina  
19                  Tariff No. 7 and replacing it with South Carolina  
20                  Tariff No. 8. In addition, I request that the  
21                  South Carolina Tariff Bureau investigate whether  
22                  the 60 cents per pound valuation referenced in Rule  
23                  2 and Rule 9 should be reevaluated in the next  
24                  tariff update. So moved.

25                  **CHAIRMAN J. WILLIAMS:** Hearing Commissioner

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 Thomas's motion, is there any discussion?

2 [No response]

3 Hearing none, we'll –

4 **COMMISSIONER THOMAS<sup>[A/V]</sup>**: Mr. Chairman.

5 **CHAIRMAN J. WILLIAMS**: Oh, Commissioner  
6 Thomas, you have the floor, sir.

7 **COMMISSIONER THOMAS<sup>[A/V]</sup>**: Thank you.

8 I'd just like to thank the South Carolina  
9 Tariff Bureau for updating this information. The  
10 document is about 27 pages long. And given that  
11 household movers are handling people's personal  
12 items, I'm sure it's a difficult business and it's  
13 hard to keep customers happy. And I've noticed that  
14 when we, at the PSC, conduct hearings to qualify new  
15 movers, we tend to have a lot of questions of a  
16 similar nature for the different applicants, much as  
17 we have seen here today in our discussions. And I  
18 think to the greatest extent that all parties can  
19 work together to formalize standard documents, it  
20 would be better for customers.

21 I would like to encourage the moving industry,  
22 the South Carolina Tariff Bureau, the ORS, the PSC,  
23 and attorneys that work with the moving industry to  
24 continue to work toward more standard contracts.  
25 To me, that would be something like realtors have a

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1 standard contract, and all realtors around the  
2 State use that same contract.

3 That's all I have, sir.

4 **CHAIRMAN J. WILLIAMS:** Thank you for your  
5 comments, sir.

6 Any further discussion?

7 [No response]

8 Hearing none, we'll vote, starting with  
9 District 1. Commissioner Williams?

10 **COMMISSIONER C. WILLIAMS:** Aye.

11 **CHAIRMAN J. WILLIAMS:** Vice Chair Belser.

12 **VICE CHAIR BELSER:** I vote aye.

13 **CHAIRMAN J. WILLIAMS:** Commissioner Caston?

14 **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

15 **CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

16 **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

17 **CHAIRMAN J. WILLIAMS:** Commissioner Thomas.

18 **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

19 **CHAIRMAN J. WILLIAMS:** Commissioner Powers?

20 **COMMISSIONER POWERS:** I vote aye.

21 **CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
22 aye. The ayes have it; the motion carries.

23 **MR. BUTLER:** Mr. Chairman and other members of  
24 the Commission, Item 11 is a request for an  
25 extension. We have the request of C&J

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

1           Transportation, LLC, for an extension of time until  
2           May 1, 2022, to comply with Commission Rules and  
3           Regulations.

4           **CHAIRMAN J. WILLIAMS:** Is there a motion?

5           **COMMISSIONER CASTON<sup>[A/V]</sup>:** Chairman Williams,  
6           this is Commissioner Caston. I'd like to make a  
7           motion.

8           **CHAIRMAN J. WILLIAMS:** Commissioner Caston,  
9           you have the floor, sir.

10          **COMMISSIONER CASTON<sup>[A/V]</sup>:** I move that the  
11          Commission grant the request of C&J Transportation,  
12          LLC, for an extension of time until May 1, 2022, to  
13          comply with Commission Rules and Regulations.

14          **CHAIRMAN J. WILLIAMS:** Hearing Commissioner  
15          Caston's motion, is there any discussion?

16                   [No response]

17                   Hearing none, we'll vote, starting with  
18          District 1. Commissioner Williams?

19          **COMMISSIONER C. WILLIAMS:** Aye.

20          **CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

21          **VICE CHAIR BELSER:** Aye.

22          **CHAIRMAN J. WILLIAMS:** Commissioner Caston?

23          **COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

24          **CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

25          **COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION



1                   **CHAIRMAN J. WILLIAMS:** Commissioner Thomas?

2                   **COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

3                   **CHAIRMAN J. WILLIAMS:** Commissioner Powers.

4                   **COMMISSIONER POWERS:** Aye.

5                   **CHAIRMAN J. WILLIAMS:** Chairman Williams votes  
6 aye. The ayes have it; the motion carries.

7                   **MR. BUTLER:** Item No. 12 is Docket No. 2016-  
8 405. We have a request for reinstatement of Class  
9 C (Taxi) Certificate No. 9244, at the request of  
10 George C. Mclean, Jr.

11                   **CHAIRMAN J. WILLIAMS:** Is there a motion?

12                   **COMMISSIONER POWERS:** Mr. Chairman?

13                   **CHAIRMAN J. WILLIAMS:** Commissioner Powers.

14                   **COMMISSIONER POWERS:** Thank you, Mr. Chairman.

15                   I move the Commission carry over the request  
16 of George C. McLean, Jr., for reinstatement of  
17 Class C (Taxi) Certificate No. 9244 until such time  
18 as the Office of Regulatory Staff provides a  
19 response to the Applicant's request. So move.

20                   **CHAIRMAN J. WILLIAMS:** Hearing Commissioner  
21 Powers's motion, is there any discussion?

22                   [No response]

23                   Hearing none, we'll vote, starting with  
24 District 1. Commissioner Williams?

25                   **COMMISSIONER C. WILLIAMS:** Aye.

<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

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**CHAIRMAN J. WILLIAMS:** Vice Chair Belser?

**VICE CHAIR BELSER:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Caston?

**COMMISSIONER CASTON<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Ervin?

**COMMISSIONER ERVIN<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Thomas?

**COMMISSIONER THOMAS<sup>[A/V]</sup>:** Aye.

**CHAIRMAN J. WILLIAMS:** Commissioner Powers?

**COMMISSIONER POWERS:** I vote aye.

**CHAIRMAN J. WILLIAMS:** Chairman Williams votes aye. The ayes have it; the motion carries.

**MR. BUTLER:** Mr. Chairman and other members of the Commission, that does complete our Motor Carriers Agenda and, indeed, all agendas before the Commission for business today.

**CHAIRMAN J. WILLIAMS:** Thank you, Attorney Butler.

Ladies and gentlemen, enjoy the rest of your day. We are adjourned.

[WHEREUPON, at 2:53 p.m., the proceedings in the above-entitled matter were adjourned.]

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<sup>[A/V]</sup> AUDIO- AND/OR VIDEOCONFERENCED PARTICIPATION

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Date: 2/1/22 .

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